

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: VETTER, Thomas

Serial No: 10/517,571

Examiner: Yan, Ren Luo

Filed: October 14, 2005

Group Art Unit: 2854

Conf. 2693

For: DEVICE FOR MACHINING THE SURFACE OF PARTS

RESPONSE TO NOTICE OF NONCOMPLIANT AMENDMENT, 37 C.F.R. §1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Non-Compliant Amendment mailed July 11, 2008, applicant submits a set of claims to replace the claims of record. The status identifiers for the nonelected claims are changed from "previously presented" to "withdrawn" in order to comply with the Notice. No other changes are made.

Withdrawal of pending claims from consideration is an action taken by the examiner, not by the applicant. Applicant anticipates that the nonelected claims will be withdrawn from consideration by the examiner, but that has not yet occurred. Therefore, the Notice of noncompliance is erroneous. Applicant complies with the requirement to change the claim status identifiers in order to advance prosecution, but without prejudice. Examination is requested.

Respectfully submitted,

Date: August 8, 2008

/Stephan Gribok/
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Atty. Docket No. D4695-00126
[BB 1805 -17 US]